

be made following the 30 day period for public comment and will result in a New Jersey State prohibition of any sewage discharges from vessels in Manasquan River.

Comments and views regarding this petition and EPA's tentative determination may be filed on or before April 13, 1998. Comments or requests for information or copies of the applicant's petition should be addressed to Walter E. Andrews, U.S. Environmental Protection Agency, Region II, Water Programs Branch, 290 Broadway, 24th Floor, New York, New York, 10007-1866. Telephone: (212) 637-3880.

Dated: February 19, 1998.

**William J. Muszynski,**

*Acting Regional Administrator.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5976-7]

### New Jersey State Prohibition on Marine Discharges of Vessel Sewage; Receipt of Petition and Tentative Determination

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

Notice is hereby given that a petition was received from the State of New Jersey on September 3, 1997, requesting a determination by the Regional Administrator, Environmental Protection Agency, pursuant to section 312(f) of Public Law 92-500, as amended by Public Law 95-217 and Public Law 100-4 (the Clean Water Act), that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the navigable waters of the Shark River, Monmouth County, State of New Jersey.

This petition was made by the New Jersey Department of Environmental Protection (NJDEP) in cooperation with Monmouth County and the Shark River Roundtable. Upon receipt of an affirmative determination in response to this petition, NJDEP would completely prohibit the discharge of sewage, whether treated or not, from any vessel in the Shark River in accordance with section 312(f)(3) of the Clean Water Act and 40 CFR 140.4(a).

The Shark River, located in central New Jersey, has its headwaters in Tinton Falls and flows into its estuary of approximately 810 acres. The estuary

is surrounded by the towns of Avon-by-the-Sea, the Borough of Belmar, Neptune City, Neptune Township and Wall Township. The river empties into the Atlantic Ocean via the Shark River Inlet. The Shark River drains a watershed area of 23 square miles. The proposed No-Discharge Zone would include all navigable waters in the Shark River beginning at the Shark River Inlet.

Information submitted by the State of New Jersey, the Monmouth County, and the Shark River Roundtable states that there are two existing pumpout facilities available and two portable toilet dump stations to service vessels which use the Shark River. Belmar Municipal Marine Basin, located at 900 Marine Avenue, Belmar, operates a stationary pumpout and a dump station for portable toilets. The pumpout and dump station are available at all hours and are operated by the marina staff from 6 a.m. to 6 p.m. or by the boater at all other hours. Main One Marina, located at 1 Main Street, Avon, operates a stationary pumpout and a portable toilet dump station. The pumpout and dump station are available from 8 a.m. to 5 p.m. and are operated by marina staff. Total Marine at Seaview, located at 120 Sea Spray Lane, Neptune, operates a stationary pumpout which serves boats docked at the marina only. The pumpout is available on demand. This facility was not included in the assessment of adequacy of pumpouts available to the boating population since 90% of the vessels are excluded from its use.

Four facilities are proposing to construct additional pumpout facilities (one each). Shark River Hills Marina, Shark River Hills Beach and Yacht Club, Shark River Yacht Club and Belmar Municipal Marina have applied for Clean Vessel Act grants to fund the installation of pumpout facilities. All existing and proposed pumpout facilities are located in areas where six feet mean low water depth is available. No vessels will be excluded from use of the pumpouts due to draft restrictions.

Vessel waste generated from the pump-out facilities in Wall Township and the Borough of Belmar is conveyed to the South Monmouth Regional Sewage Authority (NJDES Permit No. NJ0024520). Vessel waste generated from the pump-out facilities in Avon, Neptune City and Neptune Township is conveyed to the Neptune Township Sewage Authority (NJDES Permit No. NJ0024872). These plants operate under permits issued by the New Jersey Department of Environmental Protection.

According to the State's petition, the maximum daily vessel population for

the Shark River is approximately 1183 vessels. This estimate is based on (1) vessels docked at marinas and yacht clubs (882 vessels), (2) vessels docked at non-marina facilities (129 vessels) and (3) transient vessels (172 vessels). The vessel population based on length is 872 vessels less than 26 feet in length, 263 vessels between 26 feet and 40 feet in length and 48 vessels greater than 40 feet in length. Based on number and size of boats, and using various methods to estimate the number of holding tanks, it is estimated that 1 to 2 pumpouts are needed for the Shark River.

The EPA hereby makes a tentative affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the Shark River in the County of Monmouth, New Jersey. A final determination on this matter will be made following the 30 day period for public comment and will result in a New Jersey State prohibition of any sewage discharges from vessels in the Shark River.

Comments and views regarding this petition and EPA's tentative determination may be filed on or before April 13, 1998. Comments or requests for information or copies of the applicant's petition should be addressed to Walter E. Andrews, U.S. Environmental Protection Agency, Region II, Water Programs Branch, 290 Broadway, 24th Floor, New York, New York, 10007-1866. Telephone: (212) 637-3880.

Dated: February 19, 1998.

**William J. Muszynski,**

*Acting Regional Administrator.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5976-6]

### EPA Position Statement on Environmental Management Systems and ISO 14001 and a Request for Comments on the Nature of the Data To Be Collected From Environmental Management System/ISO 14001 Pilots

**AGENCY:** Environmental Protection Agency.

**ACTION:** Position statement; request for comment on information gathering.

**SUMMARY:** This document communicates the EPA's position regarding Environmental Management Systems (EMSs), including those based on the International Organization for